

RECEIVED

July 16, 2008

JUL 18 2008

BY ECF

AT 8:30 _____ M.
WILLIAM T. WALSH
CLERK

Honorable Freda L. Wolfson
United States District Judge
United States Court for the District of New Jersey
402 East State Street Room 2020
Trenton, NJ 08608

Re: Fixture Specialist, Inc. v. Global Construction Company, L.L.C.
Civil Action No.: 07-5614

Dear Judge Wolfson:

This firm represents Defendants Global Construction Company, L.L.C., Keating Corporation, and Liberty Mutual Insurance Company in the above referenced matter. Plaintiff's filed a Motion for Partial Summary Judgment on June 27, 2008. The return date of the motion is currently August 4, 2008 and Defendants' opposition papers are due on July 21, 2008. For the following reasons, we write to request a short two week extension of the time for Defendants' to file their opposition and of the return date. This is Defendants' first application to the Court for additional time.¹

Additional time is needed because I am currently out of state on a family vacation and will not return to the office until July 28, 2008. I have been working on this matter and am intimately familiar with the facts and issues raised in the motion. In addition, my colleague, Laura Corvo, Esq., who is also working on this matter is getting married and will be out of the office for her wedding and honeymoon. Accordingly, additional time is needed so we can prepare the opposition to Plaintiff's motion for partial summary judgment. We also note that Defendants' produced extensive discovery to Plaintiff yesterday so the short additional time will not serve to prejudice Plaintiff.

On Monday, July 14, 2008, I telephoned Kevin Funk, Esq., counsel for Plaintiff, to request his consent for this adjournment. Mr. Funk advised that he would speak to his co-counsel, Bruce Arkema, Esq. and get back to me. To date, Mr. Funk has not gotten back to me to advise whether or not Plaintiff consents to this request.

¹ Defendants' filed an application for an automatic extension pursuant to Local Rule 7.1.

E-mail: benjamin.curcio@leclairryan.com
Direct Phone: 973.491.4534
Direct Fax: 973.491.3463

Two Penn Plaza East, Tenth Floor
Newark, New Jersey 07105
Phone: 973.491.3600 \ Fax: 973.491.3555

CALIFORNIA \ MASSACHUSETTS \ MICHIGAN \ NEW JERSEY \ NEW YORK \ PENNSYLVANIA \ VIRGINIA \ WASHINGTON, D.C.

David C. Freinberg \ Attorney in charge, Newark office \ LeClairRyan is a Virginia professional corporation

Honorable Freda L. Wolfson
July 16, 2008
Page 2

Accordingly, it is respectfully requested that Defendants' time to file their opposition to Plaintiff's Partial motion for summary judgment be extended from July 21, 2008 to August 4, 2008 and that the return for the motion be extended from August 4, 2008 to August 18, 2008.


Thank you for your consideration of this request.

Respectfully submitted,

/s/ Benjamin C. Curcio
Benjamin C. Curcio, Esq.

cc: Kevin Funk, Esq. (by ECF)
Bruce E. Arkema, Esq. (by ECF)

IT IS SO ORDERED:


FREDA L. WOLFSON, U.S.D.J. 7/17/08